

ORDINANCE
OF THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, TO ADOPT
A CORRECTIVE AMENDMENT TO CITY CODE CHAPTER 119, “REFUSE,
SOLID WASTE AND SPECIAL TRASH” BY REPEALING AND RE-
ENACTING §119-6, “COLLECTION OF BULKY TRASH, SPECIAL TRASH, AND
OVERWEIGHT, OVERSIZED OR IMPROPERLY SORTED ITEMS,” TO
CLARIFY THAT BULKY TRASH COLLECTIONS ARE COUNTED BASED ON
FISCAL YEAR, NOT CALENDAR YEAR, FOR ANY ONE PROPERTY

WHEREAS, §5-202 of the Local Government Article of the Annotated Code of Maryland provides that the Mayor and Council of the City of College Park have the authority to pass such ordinances as it deems necessary to preserve peace and good order, and to protect the health, comfort and convenience of the residents of the municipality; and

WHEREAS, the City Charter, Article VII, “Powers and Duties of Mayor and Council”, §C7-9, “Refuse collection and disposal service”, authorizes the Mayor and Council to pass such ordinances as may be necessary to provide for the establishment and maintenance of a refuse collection and disposal service; and

WHEREAS, the Mayor and Council adopted Chapter 119, “Refuse, Solid Waste and Special Trash”, to establish and maintain a refuse collection and disposal service; and

WHEREAS, the Mayor and Council determined that it is in the public interest to amend Chapter 119 to count bulk trash collections based on a fiscal year, instead of a calendar year, to reflect actual City practice and conform to the billing cycle for bulky trash in 110-1, Fees and interests.

CAPS

[Brackets]

Asterisks * * *

CAPS

[Brackets]

: Indicate matter added to existing law.

: Indicate matter deleted from law.

: Indicate matter remaining unchanged in existing law but not set forth in Ordinance

: Indicate matter added in amendment

: Indicate matter deleted in amendment

Section 1. NOW THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Council of the City of College Park, that Chapter 119, “Refuse, Solid Waste and Special Trash”, §119-6, “Collection of bulky trash, special trash, and overweight, oversized or improperly sorted items” be and it is hereby repealed, re-enacted and amended to read as follows:

§ 119-6 Collection of bulky trash, special trash, and overweight, oversized or improperly sorted items.

A. * * * * *

B. The City must be notified of the type and number of items when a collection is scheduled. All items must be set out neatly and separated by type for collection. Bulky trash will be collected up to four times in a [~~calendar~~] FISCAL year from any one property.

C. - F. * * * * *

Section 2. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that, upon formal introduction of this proposed Ordinance, which shall be by way of a motion duly seconded and without any further vote, the City Clerk shall distribute a copy to each Council member and shall maintain a reasonable number of copies in the office of the City Clerk and shall post at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, and on the City cable channel, and if time permits, in any City newsletter, the proposed ordinance or a fair summary thereof together with a notice setting out the time and place for a public hearing thereon and for its consideration by the Council. The public hearing, hereby set for _____ on the _____ day of _____, 2022, shall follow the publication by at least seven (7) days, may be held separately or in connection with a regular or special Council meeting and may be adjourned from time to time. All persons interested shall have an opportunity to be

heard. After the hearing, the Council may adopt the proposed ordinance with or without amendments or reject it.

Section 3. BE IT FURTHER ORDAINED AND ENACTED by the Mayor and Council of the City of College Park that this Ordinance shall become effective on _____, 2022 provided that, as soon as practicable after adoption, the City Clerk shall post a fair summary of the Ordinance and notice of its adoption at City Hall, to the official City website, to the City-maintained e-mail LISTSERV, on the City cable channel, and in any City newsletter.

If any section, subsection, provision, sentence, clause, phrase or word of this Ordinance is for any reason held to be illegal or otherwise invalid by any court of competent jurisdiction, such invalidity shall be severable, and shall not affect or impair any remaining section, subsection, provision, sentence, clause, phrase or word included within this Ordinance, it being the intent of the City that the remainder of the Ordinance shall be and shall remain in full force and effect, valid and enforceable.

INTRODUCED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the _____ day of _____ 2022.

ADOPTED by the Mayor and Council of the City of College Park, Maryland at a regular meeting on the _____ day of _____ 2022.

EFFECTIVE the _____ day of _____, 2022.

ATTEST:

CITY OF COLLEGE PARK

By: _____ By: _____
Janeen S. Miller, CMC, City Clerk Patrick L. Wojahn, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

Suellen M. Ferguson, City Attorney